



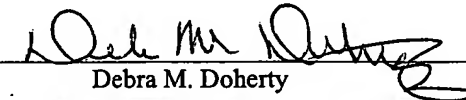
PATENT
Attorney Docket No. B0410/7273D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Robert L. Cafferata CONF. NO.: 5081
SERIAL NO.: 10/767,551 GROUP NO.: 1615
FILING DATE: January 29, 2004 EXAMINER: Carlos A. Azpuru
TITLE: SYSTEMS AND METHODS FOR TREATING ISCHEMIA

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26th day of September 2005.


Debra M. Doherty

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

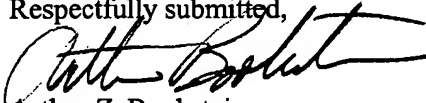
Sir:

Transmitted herewith for filing is/are the following document(s):

1. Response to Restriction Requirement and Preliminary Amendment; and
2. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room or other persons are respectfully requested to contact the undersigned collect at (617) 261-3100. Any required fees should be charged to the account of the undersigned, Deposit Account No. 50-1721, Reference No. **B0410/7273D1**. A duplicate of this letter is enclosed for accounting purposes.

Respectfully submitted,



Arthur Z. Bookstein
Reg. No.: 22,958
KIRKPATRICK & LOCKHART
NICHOLSON GRAHAM LLP
75 State Street
Boston, Massachusetts 02109-1808
Customer No.: 022832
Tel.: (617) 261-3100

DATE: September 26, 2005

JPW



Atty. Docket No.: B0410/7273D1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert L. Cafferata Examiner: Carlos A. Azpuru
Serial No.: 10/767,551 Group Art Unit: 1615
Filed: January 29, 2004 Conf. No.: 5081
Title: SYSTEMS AND METHODS FOR TREATING ISCHEMIA

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

92605
Date

[Signature]
Signature

DEBRA M DONGRITY
Typed of Printed Name of Person Signing Certificate

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Sir:

Responsive to the Restriction Requirement dated August 26, 2005, the claims of Group III (Claims 21-31) drawn to a method of improving the contractile power of myocardial tissue, classified in class 424, subclass 423, are elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Amendments to the Claims are shown in the "Listing of the Claims" which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

Applicants respectfully request entry of the amendments and remarks.